

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

POLICE AND FIRE RETIREMENT
SYSTEM OF THE CITY OF DETROIT,

Plaintiff,

v.

ROSEMARY A. CRANE, et al.,

Defendants.

Case No. [13-cv-00945-VC](#)

REQUEST FOR FURTHER BRIEFING

The Court invites the parties to file supplemental briefs that address the following questions:

Paragraphs 54 and 55 of the TAC allege that Epocrates' practice before the IPO was to extend the terms of pharmaceutical customers' contracts in response to delays by the pharmaceutical companies in producing or approving DocAlerts. The TAC further alleges that, around the time of the IPO, Epocrates changed this practice and began convincing pharmaceutical companies to agree to cancel their contracts prematurely, to allow Epocrates to recognize revenue from the unused DocAlerts immediately upon cancellation. Was Epocrates required to disclose this change to the investing public, regardless of the content of the "replacement contracts" that were part of the alleged "repapering scheme?" If so, why, and under what authority?

The plaintiff should file its supplemental brief, which should not exceed 10 double-spaced pages, by February 13, 2015, at 3:00 p.m. The defendant's response, of the same length, should be filed by February 20, 2015, at 3:00 p.m. The plaintiff may file a reply, not to exceed five pages, by 3:00 p.m. on February 27, 2015.

The parties should limit their discussion to these questions and should not reargue any of the other issues.

IT IS SO ORDERED.

Dated: February 3, 2014



VINCE CHHABRIA
United States District Judge

United States District Court
Northern District of California

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